

Poss. Reference
w/90-19
SPA'S 00-17

LETTER OF UNDERSTANDING
for
State Route 85, (17th Avenue)
Buchanan Street-Van Buren Street
Incident to JPA 00-17
H 4939 01C

LOCATIONS:

- Van Buren from 17th Avenue to 15th Avenue
- 17th Avenue from Van Buren South to the R.R. underpass
- Madison Street 17th Ave. to 16th Avenue
- Washington Street and the Washington/Jefferson connector street:
(15th Avenue to Jefferson at 16th Avenue)

94319.74

Incident to improvements contemplated by the Arizona Department of Transportation (the "ADOT") to State Route 85 (17th Avenue) between Buchanan Street and Van Buren Street, the ADOT, the Arizona Department of Administration (the "ADOA") and the City of Phoenix (the "City") have agreed certain maintenance responsibilities will be provided to State owned properties upon abandonment of SR 85 at the above referenced locations. This instrument is to document the terms relating to those maintenance responsibilities.

Upon abandonment of SR 85 at the above referenced locations, the ADOT and the ADOA will be responsible for the maintenance of the parkway and median landscaping; irrigation; pedestrian lighting; sidewalks, historic sidewalk, pavers and other non standard streetscape amenities adjacent to their respective areas currently being maintained by each, not specifically identified with the future city street right of way. The City will maintain the roadway and traffic signals as noted in Intergovernmental Agreement (JPA 00-17). It is also understood by the parties herein, should either state agency cease to provide maintenance of their respective areas, the City will not be responsible for said maintenance unless the City agrees to a formal amendment of the above mentioned agreement (JPA 00-17).

THEREFORE, the parties hereto agree to the terms of this Letter of Understanding, which may be modified upon mutual consent of all parties, by amendment to this document.

**ARIZONA DEPARTMENT OF
TRANSPORTATION**

By Victor M. Mendez 05/23/01
VICTOR M. MENDEZ Date
Deputy Director

**ARIZONA DEPARTMENT OF
ADMINISTRATION**

By Elliott Hibbs for
ELLIOTT HIBBS Date
Director

**CITY OF PHOENIX
Street Transportation Department**

By Thomas E. Callow
THOMAS E. CALLOW, P.E.
Director

Approved as to form
William D. Rock
ACTING City Attorney
DLP

ATTEST

Susan J. Hilda
ACTING CITY CLERK



SPA 00-17
w/ letter
of understanding

March 3, 1999

City of Phoenix
STREET TRANSPORTATION DEPARTMENT

Ms. Paula Gibson
Manager
Right of Way Titles Section
Arizona Department of Transportation
205 South 17th Avenue, Mail Drop 612 E
Phoenix, Arizona 85007-3296

Dear Ms. Gibson:

On November 25, 1998 you requested the City to accept a portion of State Route 85 consisting of 17th Avenue from Southern Pacific Railroad to Van Buren Street and Van Buren Street from 17th to 15th avenues, and waive the four year notice and pavement quality report.

On December 1, I wrote to you that the City would accept the streets and waive the notice and report.

Based on our recent telephone conversation, I understand that the State is not ready to abandon these streets. Also, based on a review of the plans to modify portions of 17th Avenue for traffic calming, it is apparent that the physical character of 17th Avenue may be significantly changed from the existing condition.

Therefore, the City hereby rescinds its agreement to accept these streets and waive the four year notice and pavement quality report. We will be happy to reconsider accepting these streets once the modifications are completed.

Sincerely,

Thomas E. Callow, P.E.
Interim Street Transportation Director

J. Donald Herp, P.E.
Deputy Street Transportation Director

TEC:JDH:bp:S:\PDP\HERP\JDH3901.WPD

c: Mr. Thomas
Mr. Blakley
Mr. Sparks